

**From:** [Guerry, William M.](#)  
**To:** [HertzWu, Sara](#)  
**Subject:** FW: BOE's Root Cause Analysis of the Foaming Event  
**Date:** Friday, August 31, 2018 1:38:55 PM  
**Attachments:** [Spill Prevention Response Plan.pdf](#)  
[Root Cause Analysis.pdf](#)

---

Sara,

Per our call this afternoon, enclosed is the Root Cause Analysis which I just sent to NDEQ.

Thanks,  
Bill

---

**From:** Guerry, William M.  
**Sent:** Friday, August 31, 2018 2:35 PM  
**To:** Susan Ugai (Susan.Ugai@Nebraska.gov) <Susan.Ugai@Nebraska.gov>  
**Cc:** Mike Major (mmajor@powerfulcompliance.com) <mmajor@powerfulcompliance.com>; Annette Kovar (Annette.Kovar@Nebraska.gov) <Annette.Kovar@Nebraska.gov>; 'Carleton Berk' <cberk@eenergycapital.com>; Bill Tyndall <btyndall@netleasecapital.com>  
**Subject:** BOE's Root Cause Analysis of the Foaming Event

Susan—

Pursuant to the terms of the NDEQ settlement with BOE, enclosed is the BOE Root Cause Analysis of the foaming event. As you can see, the Root Cause Analysis also includes several monitoring, feedstock-related, and operational improvements, which either have, or soon will be implemented by BOE. Most of these improvements involve upstream feedstock and process issues and are not suitable for inclusion into BOE's stormwater pollution prevention plan (SWPPP), as that plan applies to addressing materials outside the building that are likely to come in contact with stormwater.

BOE proposes to include in table 6.1.3 of its Spill Prevention and Response Procedures the improved response plan that is set forth in bold red in the attached insert. BOE looks forward to your thoughts and suggestions on all the proposed feedstock and operational improvements. To that end, we look forward to our conference call on Tuesday at 1:00 Central.

Thanks,  
Bill

This message is subject to Kelley Drye & Warren LLP's email communication policy.  
[KDW-Disclaimer](#)